

## **Regulation governing the minimum standards for Lifeguards of Public and Semi-Public swimming pools in the Town of Walpole**

In accordance with the authority granted by the general laws of the Commonwealth of Massachusetts, Chapter 111, Section 31, and 105 CMR 435.23 the Town of Walpole's Board of Health hereby establishes the following regulation for the safe operation of Public and Semi-Public swimming pools.

### **1. Lifeguards:**

- A. The operator of any Public or Semi-Public pool with a depth greater than 4 feet shall provide lifeguards 17 years of age or older holding a current Red Cross Advanced Life Savers Certificate, or equivalent, a current CPR Certificate, and a Standard First Aid Certificate, or equivalent. One lifeguard shall be provided for each 20 bathers. Pools with a depth of less than 4 feet shall have someone in attendance with a least a current CPR Certificate, or equivalent, and a Standard First Aid Certificate, or equivalent.
- B. Lifeguards shall be in constant attendance during bathing hours and no bather shall be admitted to the swimming pool unless the lifeguards are present.

### **2. Variances:**

In accordance with 105 CMR 435.23,24,46 a variance would be granted provided:

- A. Requests stating the specific variance sought and the reason therefore is made in writing and presented in person, before the Board of Health, by the operator, trustee or agent thereof.
- B. The applicant must cite the regulation and persuade the Board, as stated in 105 CMR 435.46, that (1) the enforcement thereof would do manifest injustice; and (2) the applicant has to prove that the same degree of protection required under the Title can be achieved without strict application of the particular provision.
- C. A warning sign shall be posted in a conspicuous location, easy to read, legible letters at least 4" high shall state "WARNING – NO LIFEGUARD ON DUTY". Additional signs readily visible shall state "CHILDREN UNDER AGE SIXTEEN SHALL NOT USE THE POOL WITHOUT AN ADULT IN ATTENDANCE" and "ADULTS SHOULD NOT SWIM ALONE" and "NO ALCOHOL SHALL BE PERMITTED IN THE POOL AREA and NO PERSONS CONSUMING ALCOHOL SHALL BE ALLOWED TO SWIM".
- D. Appropriate Safety and First Aid equipment, as specified by 105 CMR 435.24,25, shall be available.
- E. A six foot SPINAL IMMOBILIZATION BOARD with three straps shall be included as appropriate safety equipment for all pools with head blocks and neck rolls.
- F. A written agreement to indemnify and hold harmless the TOWN from future claims for any incident or accidents in the pool area shall be made with the Board of Health and signed by the operator of the pool, a Trustee or Agent thereof.

- G. Approvals and denials shall be in writing from the Board of Health and contain a brief statement of the reasons for its decision.
- H. Variances expire at the end of the permit expiration date.

Adopted on February 22, 1994

Amended May 13, 2977